

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHARD JAMES SIMPSON,

Plaintiff,

Case No. 1:09-cv-1048

v.

Honorable Paul L. Maloney

PRISON HEALTH SERVICES, INC. et al.,

Defendants.

ORDER DENYING LEAVE TO PROCEED *IN FORMA PAUPERIS* ON APPEAL

This is a civil rights action brought by a state prisoner pursuant to 42 U.S.C. § 1983. On November 23, 2009 (docket ##6, 7), the Court entered an opinion and order denying Plaintiff leave to proceed *in forma pauperis* because he has “three strikes” within the meaning of 28 U.S.C. § 1915(g). Plaintiff has now filed a notice of interlocutory appeal, but has failed to submit the \$455.00 filing fee. As outlined in the Court’s memorandum opinion and order denying him pauper status based on § 1915(g), Plaintiff is barred from proceeding *in forma pauperis* on this appeal. Plaintiff has twenty-eight (28) days from the date of entry of this order to pay the entire filing fee for appealing a civil action, which is \$455.00, to the Clerk of this Court. Plaintiff’s failure to comply with this order may result in dismissal of this appeal without prejudice by the Sixth Circuit Court of Appeals.

IT IS SO ORDERED.

Dated: January 4, 2010

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge

SEND REMITTANCES TO THE FOLLOWING ADDRESS:

Clerk, U.S. District Court
399 Federal Building
110 Michigan Street, NW
Grand Rapids, MI 49503

All checks or other forms of payment shall be payable to “Clerk, U.S. District Court.”